

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Educator)	
)	
Certificate of Mary E. Rainey)	CONSENT ORDER OF
)	
Certificate # 133570)	VOLUNTARY SURRENDER

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on November 12, 2003. On March 5, 2003, the State Department of Education sent Ms. Rainey notice of a hearing to consider the suspension or revocation of her South Carolina educator certificate # 133570 (certificate). Ms. Rainey received the notice as evidenced by a postal receipt bearing her signature. Ms. Rainey originally requested a hearing, but through her attorney, W. Allen Nickles, III, Esquire, subsequently reached an agreement with the Department to recommend that this matter be resolved upon the following conditions: (1) She will voluntarily and permanently surrender her certificate, (2) the surrender will be reported to the NASDTEC Clearinghouse and all school districts in the state as a voluntary surrender, and (3) this order will be maintained as a public record in the Office of General Counsel of the Department. After considering the evidence presented, the State Board voted to accept the recommendation of the parties to accept the voluntary surrender of Ms. Rainey

Ms. Rainey holds a valid South Carolina certificate, and has nineteen years of teaching experience. She was under contract with Florence County School District Three (District) for the 2002-2003 school year. Ms. Rainey was a teacher in the four-year old kindergarten class. She resigned her employment effective November 20, 2002, following a report that she left a sleeping child in her car for a short time while she entered the school building. Ms. Rainey asserts that the child was disruptive during naptime and needed to be separated from the other students. As a result, Ms. Rainey allowed the child to sleep in her car while she ate lunch and attended to paperwork in the car.

In addition to the above report, concerns were raised regarding discipline and supervision of children in Ms. Rainey's classroom. There were no reports of any alleged

Mary E.
Rainey

SC #
133570

Initial
here

Date

abuse, and Ms. Rainey asserts that she never meant to expose any child to harm . Ms. Rainey further indicates that she is ready to retire and devote herself to helping her community through her church. She is willing to accept the terms set forth above.

CONCLUSIONS OF LAW

“The State Board of Education may, for just cause, either suspend or revoke the certificate of any person.” S.C. Code Ann. § 59-25-150 (1990). In proper circumstances, the State Board may accept the tender of a certificate in lieu of discipline. The State Board finds that the preponderance of the evidence presented supports its decision to accept the voluntary and permanent surrender of Ms. Rainey’s certificate # 133570, effective November 12, 2003.

South Carolina State Board of Education

By: /S/ Greg Killian
Greg Killian
Chair

Columbia, South Carolina
November 12, 2003

I, Mary E. Rainey, SC Teaching Certificate # 133570, do hereby agree to the proposed Consent Order of Voluntary Surrender, consisting of two pages, and understand that this Order will be presented as signed to the State Board of Education on Tuesday, November 12, 2003, for approval.

/S/ Mary E. Rainey

Mary E. Rainey

11/12/03

Date